

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

ERIC MOULTRIE,	)	
	)	Civil Action No. 05 - 1729
Plaintiff,	)	
	)	Judge Terrence F. McVerry
v.	)	Magistrate Judge Lisa Pupo Lenihan
	)	
LUZERNE COUNTY PRISON; COL.	)	
PIETHOUSKI; SGT. JOHN DOE; COL.	)	
LYNCH, <i>Lieutenant</i> ; DR. JOHN DOE,	)	
<i>Med-Director</i> ; NURSE JOHN DOE	)	
	)	
Defendants.	)	

**ORDER**

Plaintiff filed a Motion to Proceed In Forma Pauperis (Doc. No. 1) on December 15, 2005, which the Court granted on December 20, 2005. The Plaintiff paid the filing fee on January 17, 2006, before any of the court ordered partial payments were received by the Clerk of Court. Plaintiff then filed a Motion for Service of Complaint by the U.S. Marshal Service (Doc. No. 6) on March 7, 2006. Paying the filing fee would normally forfeit Plaintiffs rights to have the Marshals effectuate service. In this case, however, the Court did grant the in forma pauperis motion. Therefore,

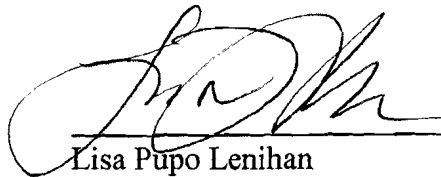
**IT IS ORDERED** this 10<sup>th</sup> day of March, 2006, that the Motion for Service of Complaint by the U.S. Marshal Service is **GRANTED**. The Court will enter the appropriate service order.

**IT IS FURTHER ORDERED** that the Plaintiff is allowed ten (10) days from this date to

appeal this order to a district judge pursuant to Rule 72.1.3(B) of the Local Rules for Magistrates.

Failure to appeal within ten (10) days may constitute waiver of the right to appeal.

3-10-06  
Date

  
Lisa Pupo Lenihan  
U.S. Magistrate Judge

cc: Eric Moultrie  
S.C.I. Greensburg  
RD #10  
Box 10  
Greensburg, PA 15601